

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

WILLIAM AGUILAR MEJIA)	
A#: 074-312-010,)	
)	
Petitioner,)	
)	
vs.)	No. 08 CV 4134
)	
GLENN TRIVELINE, Field Office)	Judge Manning
Director of Immigration and Customs)	
Enforcement; MICHAEL MUKASEY,)	Magistrate Judge Nolan
Attorney General; MICHAEL CHERTOFF,)	
Secretary of the Department of Homeland)	
Security;)	
)	
Respondents.)	

NOTICE OF VOLUNTARY DISMISSAL

NOW COMES, Petitioner, WILLIAM AGUILAR MEJIA, and pursuant to Rule 41(a)(1)(A)(i), files his Notice of Voluntary Dismissal, stating the following:

1. Petitioner filed his emergency petition for a Writ of Habeas Corpus and Stay of Deportation on July 21, 2008, on the basis of statements from immigration officers indicating that he faced imminent removal from the United States.

2. Subsequent to filing his Petition, counsel for Petitioner was informed by Immigration and Customs Enforcement (ICE) officials that Petitioner's removal will indeed *not occur*, if at all, until after a hearing is held before the Immigration Judge to determine Petitioner's country of origin or citizenship, and that such a hearing will, in fact, not be scheduled in the immediate future.

3. Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that the Plaintiff "may dismiss an action without a court order by filing a notice [...] before the opposing party serves either an answer or a motion for summary judgment."

4. Petitioner no longer fears that he will be immediately deported from the United States.

5. There is currently an emergency hearing on Petitioner's emergency petition scheduled for Friday, July 25, 2008

WHEREFORE, your Petitioner respectfully prays that this Honorable Court enter an order of voluntarily dismissal of his Emergency Petition for Habeas Corpus and Stay of Deportation, without prejudice, and that the hearing scheduled for Friday, July 25, 2008, be stricken from the court's call.

Respectfully submitted,

By: /s/ Daniel W. Thomann
Attorney for Petitioner

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CERTIFICATE OF SERVICE

I, the undersigned, certify under penalties of perjury, pursuant to the Federal Rules of Civil Procedure, that I served this Notice of Voluntary Dismissal along with the attachments by causing them to be mailed to the addressees listed on the Service List below with sufficient postage paid, by depositing them in a mailbox in Chicago, Illinois, and by filing this notice with the court's ECF system, which will send a notification via email.

/s/ Daniel W. Thomann

Katz Law Office, Ltd.

SERVICE LIST:

Glenn Triveline, Field Office Director
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